

EGREMONT PLANNING BOARD

Minutes September 9, 2019

Call to Order: 7:04 PM

Present: Eddie Regendahl, Helen Krancer, Nick Keene

Citizens in attendance: Donna Gordon, Fred Gordon, Mike Parsons, Peter Nikitas, Mary McGurn, Don Pulfer, Marj Wexler, Eileen Vining

Vice Chair Regendahl read the following: The official record of this meeting is being kept via written minutes. The Planning Board is not recording this meeting. Anyone wishing to record this meeting must inform the Vice Chair now. There were no requests.

Form A's

Peter Nikitas of Foresight Land Services presented a Permit Plan for 17 Sky Farm Road, Lot 4 in the Sky Farm subdivision. The client, proposed buyers Sparkboro Corp, requested the plan to be satisfied that there are no new lines. The plan was submitted to the Town Clerk on August 29, 2019. The Board unanimously approved the Permit Plan. Nikitas gave Board treasurer Keene a check for \$50.

Mike Parsons, Kelly, Granger, Parsons, presented a Form A on Bladwin Hill Road (N-S) for Ian Rasch and Jade Snow Carroll. The Form A divides the barn section of Lot 3 from the whole property leaving Lot 4. The Form A was unanimously approved. As there were only four copies of the plan, Parsons will make two copies from the signed mylar and drop them off at town hall for the Board. He paid the Board \$50.

	Frontage	Acres
Lot 3	209.36 feet	1.88
Lot 4	391.02 feet	3.63
Lot 2	150.0 feet	5.19

Citizen's Time:

All the citizens said they wanted to learn about the Planning Board's decisions after the proposed Accessory Dwelling Bylaw public hearing.

Minutes: Minutes of September 4, 2019, were approved with minor changes.

Proposed Accessory Dwelling Unit Bylaw Discussion:

Keene said that in the September 4 meeting, the Board came close to agreeing to making by-right/special permit changes.

Donna Gordon said she wants to put an ADU in her existing building by right but according to this proposed bylaw she cannot. Krancer informed her that the Zoning Bylaw already allows her to turn her one-family home into a two-family home by right. In answer to the further inquiry, Krancer said she can put an ADU into a garage attached to her one-family house by right converting the home into a two-family, but she may not put an ADU into a separate garage without a special permit.

Eileen Vining said that at the Housing Committee meeting, which did not have a quorum, Richard Allen handed out an ADU bylaw which he rewrote.

Vining submitted her own suggested by-right and special permit language for the Board's consideration. She also spoke about the fact that this bylaw is written from the owner's point-of-view and protects the owner's rights but, by not increasing setbacks for a new ADU, it does not protect abutters enough.

Krancer stated that she wants the ADU bylaw to be it's own section, not in several places to make it easier for citizens to find all of its pieces and to understand it.

Don Pulfer said there is a way to easily change the ADU bylaw.

Krancer said she thinks the Board should withdraw this bylaw at Special Town Meeting and then submit it for May Town Meeting.

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Vining spoke about how to create a bylaw, that an informational meeting is normally held before the public hearing; that Mass. General Law gives the Board time to hold a hearing and time to change a proposed bylaw to incorporate feedback from the public hearing, and time to write a Report and Recommendation before a Town Meeting, and that the Board did not have enough of the allotted time to do its job.

Mary McGurn opined that the Board did not do its job in a timely manner. Krancer disagreed stating that it takes time to think through and evaluate all impacts.

Krancer again suggested that the Recommendation be to pass over the bylaw. She stated that keeping the bylaw available for a vote would allow amendments from the floor and that this is a bad way to craft a bylaw.

Keene thought the Board should keep rewriting the bylaw even though Krancer pointed out that the next meeting is Monday, Sept. 9, and the Board would have to edit and approve the revised bylaw at the meeting and hand it out the next evening at the town meeting. She also stated that she didn't think the Attorney General would accept this revised bylaw as it is so different from the original heard at the public hearing.

No Recommendation had been written and submitted. The Board did not make any decision about what Recommendation to make. Regendahl offered to write the Report and Recommendation.

Regendahl, Keene and Krancer unanimously agreed to the following:

Allowed By Right (new)

a) One-family may build a new, separate ADU or put it into a separate existing accessory structure as long as the new ADU or the existing accessory structure is within current legal setbacks.

b) Two-family may put an ADU in a separate existing accessory structure that is within current legal setbacks.

Allowed by Special Permit (this is not a change)

c) Two-family may build a new ADU as long as it meets the already proposed new setback and 2.5 acre intensity requirements.

Meeting adjourned: 9:15 PM

Next Meeting: Monday, September 16, 2019, at 7:00 PM

Respectfully submitted,
Helen Krancer, Clerk
September 16, 2019